

# **WEST VIRGINIA LEGISLATURE**

## **2023 REGULAR SESSION**

### **Introduced**

## **Senate Bill 161**

BY SENATORS BLAIR (MR. PRESIDENT), AZINGER,  
BARRETT, BOLEY, CAPUTO, CHAPMAN, CLEMENTS,  
DEEDS, GRADY, HAMILTON, HUNT, JEFFRIES, KARNES,  
MARONEY, MARTIN, MAYNARD, NELSON, OLIVERIO,  
PHILLIPS, PLYMALE, QUEEN, ROBERTS, RUCKER, SMITH,  
STOVER, STUART, SWOPE, TAKUBO, TARR, TAYLOR,  
TRUMP, WELD, WOELFEL, AND WOODRUM

[Introduced January 12, 2023]



1 A BILL to amend and reenact §20-1-10 of the Code of West Virginia, 1931, as amended, relating  
2 to the authority of the Division of Natural Resources to manage and dispose of property.

*Be it enacted by the Legislature of West Virginia:*

## **ARTICLE 1. ORGANIZATION AND ADMINISTRATION.**

### **§20-1-10. Property management.**

1 (a) The division shall maintain at all times an accurate record of all of its lands, interests  
2 in lands, buildings, structures, equipment and other tangible properties and assets. The record  
3 shall reflect the location, utility, condition and estimated value of all such properties and assets.  
4 The division shall provide for the maintenance, preservation and custody of all such properties  
5 and assets. ~~and when any item or items thereof become obsolete or are no longer needed, the~~  
6 ~~division shall report thereon to the Public Lands Corporation for disposition thereof~~

7 (b) The division shall have the authority, with the approval in writing of the Secretary of  
8 the Department of Commerce, to sell, lease, or otherwise dispose of property that is under the  
9 jurisdiction and control of the director. The director may convey property in exchange for money,  
10 security or property, both real and personal, and any interest in such property, including lands  
11 and waters, which he or she deems suitable for the purposes of the division.

12 ~~(b)~~ (c) The director shall select and designate a competent and qualified person as division  
13 property officer, who shall be responsible for the division's records relating to its properties and  
14 assets and for the maintenance, preservation, custody and disposition of all such properties and  
15 assets as herein provided.

16 ~~(c)~~ (d) Subject to valid existing rights, division owned wildlife management area lands shall  
17 be open to access and use for recreational hunting and shooting except as limited by the division  
18 for reasons of public safety, fish and wildlife management or homeland security or as otherwise  
19 limited by law.

20 ~~(d)~~ (e) The division shall exercise its authority consistent with subsection ~~(e)~~ (d) to support,  
21 promote and enhance recreational hunting and shooting opportunities, to the extent authorized

by statute. The division shall give preference to hunting and shooting over other uses of division owned wildlife management area lands.

~~(e)~~ (f) Division land management decisions and actions may not result in a net loss of habitat land acreage available for hunting and shooting opportunities on division owned wildlife management area lands that exists on the effective date of this section.

~~(f)~~ (g) On or before December 1, the division shall submit an annual report to the Governor and to the Joint Committee on Government and Finance, including the following:

(1) The acreage administered by the division that has been closed during the previous year to recreational hunting and the reasons for the closures; and

(2) The acreage administered by the division that, in order to comply with the provisions of subsection ~~(e)~~ (f) was opened to recreational hunting to compensate for that acreage.